



February 22, 2002

ENGROSSED HOUSE BILL No. 1240

DIGEST OF HB1240 (Updated February 20, 2002 5:13 PM - DI 87)

Citations Affected: IC 36-1.

Synopsis: Ordinance enforcement procedures. Allows a municipal corporation, after entering a property and correcting a continuing ordinance violation on the property that is outdoors and does not involve a structure, to issue a bill to the property owner for the costs incurred in bringing the property into compliance. Provides that if the bill is not paid by the owner of the property, the municipal corporation may have the amount of the bill, plus any administrative costs incurred, placed on the tax duplicate by the county auditor and collected in the same manner as delinquent taxes.

Effective: July 1, 2002.

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(SENATE SPONSORS — MERRITT, LEWIS)

January 14, 2002, read first time and referred to Committee on Local Government.
January 28, 2002, reported — Do Pass.
January 31, 2002, read second time, ordered engrossed. Engrossed.
February 5, 2002, read third time, passed. Yeas 93, nays 1.

SENATE ACTION

February 11, 2002, read first time and referred to Committee on Governmental and Regulatory Affairs.
February 21, 2002, reported favorably — Do Pass.

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EH 1240—LS 7114/DI 94+



February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED HOUSE BILL No. 1240

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-1-6-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2002]: Sec. 2. **(a)** If a condition violating an
3 ordinance of a municipal corporation exists on real property, officers
4 of the municipal corporation may enter onto that property and take
5 appropriate action to bring the property into compliance with the
6 ordinance. However, before action to bring compliance may be taken,
7 all persons holding a substantial interest in the property must be given
8 a reasonable opportunity to bring the property into compliance. If
9 action to bring compliance is taken by the municipal corporation, the
10 expense involved may be made a lien against the property.
11 **(b)** If the violation described in subsection (a) is a violation that
12 is located outdoors and does not involve a building or structure, the
13 municipal corporation may also issue a bill to the owner of the real
14 property for the costs incurred by the municipal corporation in
15 bringing the property into compliance with the ordinance,
16 including administrative costs and removal costs.
17 **(c)** If the owner of the real property fails to pay a bill issued

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1 under subsection (b), the municipal corporation may certify to the
2 county auditor the amount of the bill, plus any additional
3 administrative costs incurred in the certification. The auditor shall
4 place the total amount certified on the tax duplicate for the
5 property affected, and the total amount, including any accrued
6 interest, shall be collected as delinquent taxes are collected and
7 shall be disbursed to the general fund of the municipal corporation.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1240, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STEVENSON, Chair

Committee Vote: yeas 11, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill No. 1240, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1240 as printed January 29, 2002.)

MERRITT, Chairperson

Committee Vote: Yeas 6, Nays 0.

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EH 1240—LS 7114/DI 94+

